



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

147435

REPLY TO THE ATTENTION OF

MAY 29 1998

C-14J

**VIA FAX AND U.S. MAIL**

Mr. Eugene E. Smary  
Warner Norcross & Judd  
900 Old Kent Building  
111 Lyon Street N.W.  
Grand Rapids, MI 49503-2487

Mr. Michael Caldwell  
Fink Zausmer  
31700 Middlebelt Road, Ste 150  
Farmington Hills, MI 48334-0100

RE: Access Agreement Pertaining to Land Presently Owned by CDC Inc. which lies  
Adjacent to the Albion Sheridan Landfill Site.

Gentlemen:

I am aware that you are in discussion regarding an access agreement for CDC's property, formerly owned by the Gill and Prater families. In the interest of moving forward with the remedy at this site, I ask that you make your best efforts to reach an agreement regarding access by next Friday, June 5, 1998. If you are not able to reach a mutually agreeable resolution by that time, I will order such access, subject to section 104(e)(3) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. § 9601 et seq ("CERCLA") as amended by the Superfund Amendments and Reauthorization Act of 1986.

Apparently, one issue standing in the way of any agreement is the request by CDC that Cooper and Corning release the plans for the site. As I think you both are aware, I am working on a Freedom of Information Act Request by Decker regarding those same documents, and am preparing to release the work plan and design, subject to any confidential business information claims by Cooper and Corning. As this information will likely reach Decker through this route in the near future, it may not be necessary to stall the discussion over this issue.

I will be traveling on Friday, June 5, but you can contact me by voice mail or fax regarding your success or lack thereof in reaching an agreement. I plan to prepare the order, if it is in fact necessary, on Monday, June 8, 1998.

As always, if you have any questions, you can reach me at 312-353-8912.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathy Schnieders', written in a cursive style.

Kathleen K. Schnieders  
Assistant Regional Counsel

cc: Jon Peterson, SR-6J  
Phillip Moilanen, Bullen, Moilanen, Klaasen & Swan, for Decker Manufacturing